



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Kenichiro UDA, et al. )  
Application No.: 10/676,250 ) Group Art Unit: 1764  
Filed: October 2, 2003 ) Examiner: Unassigned

For: WATER-SOLUBLE LUBRICANT FOR WARM OR HOT METAL FORMING

Commissioner for Patents  
**MAIL STOP MISSING PARTS**

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed September 21, 2004.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
- ☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

- ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document.

4. Small Entity Status

- ☐ Small entity status under 37 C.F.R. § 1.27 is asserted for the present application.

## 5. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total months requested	Fee for extension	[Fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 430.00	\$215.00
<input type="checkbox"/> three months	\$ 980.00	\$490.00
<input type="checkbox"/> four months	\$1,530.00	\$765.00
<input type="checkbox"/> five months	\$2,080.00	\$1,040.00

Extension of time fee due with this request: \$

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicant believes that no extension of time is required. However, in the event applicant has inadvertently overlooked the need for a petition and fee for extension of time, applicant hereby petitions for such an extension and requests that any fee therefor be charged to our Deposit Account No. 50-0310.

## 6. Assignment

- ☒ An assignment of the invention to YUSHIRO CHEMICAL INDUSTRY Co., Ltd. and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

## 7. Fee Calculation

					Fee Code
Basic Fee				\$790.00	1001/2001
	Number Filed	Number Extra	at a Rate of (Lg./Sm.Entity)		
Total Claims	5 - 20 =	0	\$18/\$9 each=	\$0.00	1202/2202
Independent Claims	1 - 3 =	0	\$88/\$44 each=	\$0.00	1201/2201
Multiple dependent claim(s), if any			\$300/\$150	\$0.00	1203/2203
SUB-TOTAL =				\$790.00	
Late Filing Surcharge Fee (37 C.F.R. § 1.16(e))			\$130/\$65	\$130.00	1051/2051
Extension Fee (37 C.F.R. § 1.17(a)(1)-(5))			\$110/\$55 (1 Month)		1251/2251
			\$430/\$215 (2 Months)		1252/2252
			\$980/\$490 (3 Months)		1253/2253
			\$1530/\$765 (4 Months)		1254/2254
			\$2080/\$1040 (5 Months)	\$	1255/2255
SUB-TOTAL =				\$920.00	
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(i) and § 1.52(d))			\$130.00	\$	1053
Assignment Recordation Fee			\$ 40.00	\$40.00	8021
TOTAL FILING FEE =				\$960.00	


## 8. Fee Payment

- ☐ Enclosed is a check in the amount of \$\_\_\_\_\_ representing the total fee due.
- ☒ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

## 9. Additional papers enclosed.

- ☐ Preliminary Amendment
- ☐ Submission of Replacement Drawings with \_\_\_\_\_ sheets of drawings
- ☐ Claim for Priority
- ☐ Certified copy(ies) of priority document(s):
- ☒ Information Disclosure Statement
- ☒ Form PTO-1449, 13 cited references as listed
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Other:

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Robert J. Goodell, Reg. No. 41,040

Date: November 2, 2004**CUSTOMER NO. 09629****MORGAN, LEWIS & BOCKIUS LLP**

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

*JPW* \$

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/676,250	10/02/2003	Kenichiro Uda	041094-5022

09629  
 MORGAN LEWIS & BOCKIUS LLP  
 1111 PENNSYLVANIA AVENUE NW  
 WASHINGTON, DC 20004



CONFIRMATION NO. 3462

## FORMALITIES LETTER



\*OC000000011763989\*

Date Mailed: 09/21/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$900** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

RECEIVED

SEP 23 2004

MORGAN, LEWIS &amp; BOCKIUS LLP

11/03/2004 KBETEMA1 00000085 500310 10676250  
 01 FC:1001 790.00 DA  
 02 FC:1051 130.00 DA

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*A copy of this notice MUST be returned with the reply.*

*S. Yamamoto*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE